

Serial No. 10/536,794

Amendment Dated: August 6, 2008

Reply to Office Action Mailed: April 8, 2008

Attorney Docket No. 029267.56376US

REMARKS

Favorable consideration and allowance of claims 17-22, 25-30, and 33-34 are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 31 and 32 were withdrawn from further consideration as being directed to a non-elected invention. By the present amendments, Applicants cancel claims 31 and 32.

Claims 17-22 and 25-30 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicants amend claims 17 and 25 to further define that the route information contains nodes representing the recommended route and guide information contains guide point data for the recommended route. Support for these amendments is present, for example, on page 18, lines 3-20 and Fig. 4 of the application. Applicants submit that the amended claims are definitely recited.

Claims 17-22 and 25-30 were rejected under 35 U.S.C. §102(e) as being anticipated by Ito et al (US 6,484,093). Applicants respectfully traverse the rejection as set forth below.

Applicants submit that Ito et al fails to teach or suggest the step of claim 17 in which a user is informed of an estimated period of time required for downloading the route guide information determined based upon a physical

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quantity indicating a data size of the route guide information. The Office Action refers to col. 7, lines 1-12 and col. 12, line 22 – col. 13, line 40 as allegedly disclosing this feature of the claim. Applicants respectfully disagree.

Neither of the cited excerpts disclose the above-described feature of the claim. Ito et al discloses transmitting data between a navigation apparatus 100 and an information center 10, i.e., vehicle position, destination, demanded guidance route length, and route guidance data. Col. 12, lines 24-34. The only reference to a time interval in the cited excerpts is the disclosure of the navigation apparatus 100 receiving route guidance data from the information center 10 at a predetermined interval. Col. 12, lines 59-61. This disclosure, however, does not correspond to the claimed step in which a user is informed of an estimated period of time required for downloading the route guide information determined based upon a physical quantity indicating a data size of the route guide information. Therefore, claim 17 is patentable over Ito et al.

Also, Ito et al fails to teach or suggest the feature of claim 17 of “a step in which the information terminal transmits a request to the information distribution center to transmit the route guide information in installments.” The Office Action refers to col. 7, lines 1-12 and col. 12, line 22 – col. 13, line 40 as allegedly disclosing this feature of the claim. The cited excerpts disclose that an obtained drive route is divided into data segments for sequential transmission to the navigation apparatus. Col. 12, lines 55-57. This disclosure, however, does

not describe transmitting a request to an information distribution center to transmit the route guide information in installments. Ito et al is silent regarding such a request. Therefore, claim 17 is patentable over Ito et al for this additional reason.

Additionally, Ito et al fails to teach or suggest the features of claim 17 of "a step in which upon receiving the request, the information distribution center extracts a portion of the guide information corresponding to an area of the recommended route near the start point and transmits the obtained route information in a batch and the extracted portion of the guide information." With regard to these features, the Office Action refers to col. 7, lines 1-12 and col. 12, line 22 – col. 13, line 40 of Ito et al. However, none of the cited portions disclose the claimed features.

First, Ito et al does not disclose receiving the request to transmit the route guide information in installments. There is no such request in Ito's system. Second, Ito et al does not disclose extracting a portion of the guide information corresponding to an area of the recommended route near the start point and transmitting that extracted portion. Instead, Ito et al only generally discloses transmitting route guidance data and an obtained drive route. Therefore, claim 17 is patentable for this additional reason.

Furthermore, Ito et al does not disclose the feature of claim 17 of "a step in which upon receiving the extracted portion of the guide information

corresponding to the area of the recommended route near the start point, the information terminal starts the route guidance.” With respect to this feature, the Office Action refers to the same portions of Ito et al mentioned above. However, as described above, Ito et al does not disclose extracting the portion of the guide information corresponding to an area of the recommended route near the start point. Accordingly, it does not disclose receiving the extracted portion or starting the route guidance upon receiving that portion. Instead, Ito et al simply discloses executing the route guidance operation in accordance with the received route guidance data. Col. 12, lines 34-36. Thus, claim 17 is patentable over Ito et al for this reason also.

Claim 25 is patentable for reasons analogous to those for claim 17.

Claims 18-22 and 26-30 are patentable due to their dependence from claims 17 and 25, respectively.

New claims 33 and 34 further define the guide point data claimed in claims 17 and 25, respectively. Support for these claims is present in the specification at page 18, lines 3-20, for example. Claims 33 and 34 are patentable due to their dependence from claims 17 and 25, respectively.

In view of the foregoing, Applicants submit that the application is in condition for allowance and such action is earnestly solicited.

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If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #029267.56376US).

Respectfully submitted,

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